

Official Minutes for Webb County Commissioners Court Meeting

Monday, March 14, 2005 at 1:00 PM and
continuing Tuesday, March 15, 2005 at 1:00 PM

(All items taken on March 14, 2005)

(Approved April 11, 2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Cortez Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th of February 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by Judge Bruni

- Item No. 4 Approval of minutes – February 14, 2005

Cmr. Garza motioned to accept the minutes as presented. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, stated that fund 816 was under its budgeted revenue and was over on its budgeted expenditures. He recommended that the Insurance Committee meet in order to discuss its budget for the next fiscal year since it would end in a deficit. He stated that all the bills under that account have been paid and all monies owed have been collected. Cmr. Gutierrez stated that since all bills have been paid and monies collected, the task at hand is to reconcile within the county. Mr. Flores stated the account could be paid from the General Fund but stated that monies from other accounts could be used to cover this deficit. He also stated that

the expenditures have been under budget by \$168,000 while revenues are over budget. He also stated that sales tax revenues are also over budget by \$373,000. He congratulated the Indigent Services Department for working well within their budget. Cmr. Sciaraffa questioned the spending of \$307,000 in misdemeanor court appointed attorneys when the Public Defender's Office can handle these cases. Mr. Flores stated that he has met with the Public Defender and County Court at Law Judges regarding this matter and was advised that the Public Defender can handle all adult misdemeanor cases. He stated that this item needed to be addressed with the judges who are appointing the attorneys.

Cmr. Garza motioned to accept the County Auditor's Monthly report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Mr. Bob Bass, Allison, Bass & Associates, was present to address the court. He stated that the City Council had placed an item on their agenda to complete the transaction for the purchase of land in South Laredo which the county had intended to use for the construction of the 5th international bridge. He stated that his firm requested and was issued a restraining order against the City of Laredo barring them from completing this transaction after a summary judgment was issued in Webb County's favor by District Judge Raul Vasquez. He stated that they will continue to monitor this case and assess any options that are available. He stated that no action from the Court was necessary and was an information item only.

Cmr. Cortez-Brunner congratulated L.I.F.E. for a very successful fair.

Judge Bruni stated that Bruni Electric, in conjunction with a local construction company began working on the repair of county roads in the colonias located on Hwy 59 and Hwy 359. He stated that he did not want to undermine the Road and Bridge Department but felt that the colonia residents needed work done now. He stated that it was though it was not the county's legal responsibility to repair the roads, it was their moral obligation.

Cmr. Gutierrez motioned to move up Item No. 16. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16 Legislative update by State Representative Richard Raymond from Austin (satellite or audio conference)

Cmr. Garza welcomed Representative Richard Raymond and thanked him taking time to speak with this court. Mr. Raymond stated that he was glad to be able to speak with the court and give them an update on legislation that may affect Webb County. Cmr. Garza stated that he had a concern about a proposed JJAEP bill that was brought to his attention. Mr. Raymond stated that after speaking with the author of

that bill, and advising him of the adverse affect that this would have on Webb County, the bill was withdrawn before being brought before the House. He stated that he was currently working on a tax bill and school bill. Cmr. Garza inquired as to the status on a bill that would place a cap on appraisal value increases. Mr. Raymond stated that this bill was to be placed with the tax bill but will be taken as a separate issue. He stated that he did not feel that this issue would pass. He also stated that there was a bill in the works that would allow for additional infrastructure in colonias.

Communication with Representative Richard Raymond was lost.

RECESS (2:17 PM– 2:21 PM)

Item No. 7 Public Comment

Mr. Dennis D. Guffey, RLO District 8A, stated that he was present to address the recent rains that affected the colonias approximately 3 weeks ago. He stated that the regulations and requirements for FEMA have changed since it was moved under the direction of the Department of Homeland Security. He stated that he did not feel that this would qualify for federal assistance if declared as a local disaster area.

Mr. Carlos Zaffirini, Sr. was present to address Item No. 9.

Cmr. Sciaraffa motioned to move up Item No. 9. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to support, by resolution, the creation of the Webb County Healthcare Funding District, and further directing that Webb County Indigent Health Care funds currently allocated to Laredo Medical Center and Doctor's Hospital of Laredo be utilized to fund the Medicare Upper Payment Limit Program (UPL Program).

Mr. Carlos Zaffirini, Sr. stated that he came before the court as a representative of Laredo Medical Center and Doctors Hospital of Laredo. He stated that Webb County has an enormous population of persons in need of medical care that do not have any form of health insurance or coverage. He stated that this item would help alleviate the costs that Laredo Medical Center and Doctors Hospital currently spend on providing health care to persons with no medical coverage. He stated that this would not impact the taxpayers, the Indigent Health Care Program, Gateway Health Center or the Ministries of Mercy. He stated that this would be funded by monies already allocated to Laredo Medical Center and Doctors Hospital, along with federal monies that are not currently being used. He requested that the monies currently allocated to Laredo Medical Center and Doctors Hospital be designated as funds for Medicare Upper Payment. He stated that by designating these funds as such, it would in turn allow Medicare to send approximately \$1.50 for every \$1.00 allocated in that fund. Cmr. Gutierrez stated that this was a great opportunity to draw

additional monies for indigent health care but that she also had some concerns about where this would leave the Indigent Health Care Program. Mr. Zaffirini stated that once the bill has passed and becomes effective September 1st, the county can appoint a committee to oversee this project.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 36, No. 40, No. 44, No. 45, No. 46 and No. 47. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action to authorize the Purchasing Agent to purchase firearms from Sigarms, Inc. in the amount of \$71,370.00 for the Sheriff's Department.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Rick Flores, County Sheriff, stated that these firearms would be issued to all certified peace officers.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action to authorize the Purchasing Agent to issue purchase order contracts for equipment for the Sheriff's department to the following vendors:

DESCRIPTION	VENDOR	PRICE
Computer and Electronic Equip.	M-1 Networks	\$10,780.70
34 Shotguns	American Sales & Mfg.	\$10,506.00
34 Tactical weapons	Streicher's	\$24,786.00

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, requested that the court only approve the purchase of the 34 tactical weapons.

Cmr. Sciaraffa amended his motion to only approve the purchase of 34 shotguns. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action to approve the submission of a grant application to the Office of the Governor's Criminal Justice Division for

a 421 Planning Fund Program for GIS equipment and officer training in the amount of \$82,675 with an in-kind match of \$27,972. [Fund 421 & County Essentials]

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to approve the submission of a grant application to the Office of the Governor's Criminal Justice Division for the County Essentials Program for essential jail management equipment in the amount of \$52,715.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and possible action to pay contract for Dr. Clifford M. Black from Acct. No. 168-2001-6022.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Mr. Rick Flores, County Sheriff, stated that the amount to be paid would be \$37,499 and would be paid from forfeiture funds. He stated that his department was tapping into as much grant monies as possible.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to enter into an inter-local Cooperative Agreement with Frio County for the housing and transportation of State inmates at a rate of \$37.50 per day for each day an inmate is housed at Frio County same terms and conditions as the agreement dated February 11, 2004 between Webb County and Frio County) for a two year period from the date of approval and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and Possible Action Declaring a Local State Disaster for the Colonias on Hwy 359 and Hwy 59 in Webb County and specifying the

duration of the declaration, authorizing the Road and Bridge Superintendent to utilize available county resources to repair and stabilize such roads and Rights-of-Way as necessary to permit the safe passage of vehicles and persons as determined by the court. The court may order discretionary exemption to competitive bidding to engage material providers and equipment as necessary to be determined by the court.

Cmr. Gutierrez requested that the court hear the residents concerns at this time.

Edith Hinojosa was present to address Item No. 17. She stated that she was present to request the court's vote in order to repair the roads. She stated that it was very easy for members of the court to vote against this item at the previous meeting since they do not have to deal with the road conditions on a day to day basis. She stated that the work being done by the private companies is not of good quality and will end up causing more problems with the next rain. She stated that she has a degree in engineering and knows what should be done and is not being done.

Judge Bruni stated that work has only been done for two days and they are still working on the base. He stated that these companies have worked on many roads and highways. He requested patience from the community to be able to finish the work. He stated that as of noon today, 5 miles of sub-grade work had been done.

Ms. Hinojosa stated that she was surprised that work was being done since rain is expected on Thursday. She stated that if the caliche is not laid by then, they will be in a worse situation than they are right now. She stated that the court had previously declared a local state of disaster to be able to go in and repair the roads and does not see why they won't do it again.

Cmr. Gutierrez stated that if the court had acted sooner, there would be no need for this item. She stated that the public needed to be told what was being done since the residents of these colonias are having a very difficult time getting out on those roads. She stated that this item is not to declare a state disaster but for a local disaster area declaration that would be paid through Road and Bridge funds already allocated for road repair. She stated that she would not have placed this item on the agenda without getting the okay from the county attorney.

Mr. Rodolfo Lerma was present to address Item No. 17. He stated that the court needed to listen to the people who put them in office.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Daisy Valdez was present to address Item No. 17. She stated that many of the persons who come before the court to complain about the road conditions do not live

in the colonias, even though they pretend to be. She stated that only actual residents can speak of the troubles that they face due to the conditions of the roads.

Item No. 7 Public Comment

Mr. Anthony Peterson was present to address Item No. 20. He stated that the County Auditor should be given the authorization to expend those funds. He stated that the Road and Bridge Department is not doing what they are supposed to be doing.

Mr. Balt Ramos was present to address Item No. 11. He stated that this same grass type was recommended by a professor at Texas A & M University. He stated that it is not only a grass issue but a drainage issue as well.

Mrs. Margie Ramirez Ibarra, County Clerk, was present to address the Court. She advised the court that she had received the Commission Certificates and Identification Cards issued by the State of Texas Elections Division to newly elected and re-elected officials. She presented the certificates to Cmr. Sciaraffa, Cmr. Garza, Mr. Homero Ramirez and Ms. Patricia Barrera. She stated that she would be presenting the remaining certificates to the other elected officials as soon as possible.

BREAK (3:44 PM – 4:10 PM)

Item No. 8 Presentation of certificate of award presented to Jorge Sanchez, Sr. and Luis A. Diaz de Leon for their efforts in preserving the historical heritage of Webb County.

Mr. Luis Diaz De Leon was present to address the court on this item. He thanked the court for this recognition but that he felt that it was important to maintain the historical heritage of this area. He stated that when he was asked why he did not present the 'escudera' to the City of Laredo, he replied that La Villa de San Agustin de Laredo encompassed not only Laredo but several villas in adjacent counties. He stated that on a separate note, the colonias needed to unite in order to get things done. He stated that the fighting among the colonias was holding them back and that he hoped to see some unity among the colonias before his next birthday.

Mr. Jorge Sanchez, Sr. was also present to address the court on this item. He stated that after much research he was able to locate the first flag flown over La Villa de San Agustin de Laredo. He presented a painting of the first flag that he made to the court.

The court presented a certificate of award to Mr. Jorge Sanchez, Sr. and Mr. Luis Diaz de Leon.

Item No. 10 Discussion and possible action to approve an agreement between Webb County and Corrections Corporation of America for the execution

of an intergovernmental agreement with the Bureau of Immigration and Customs Enforcement (BCIE) to house federal inmates.

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Public information announcement on Seashore Paspalum grass that thrives in saline rich soils such as those found in various Webb County areas, including the Webb County Golf Course.

Judge Bruni stated that the fee for the testing would be \$1,500 and that the item would be placed on the next agenda.

- Item No. 12 Status report on the maintenance of the main public roadways at Pueblo Nuevo Subdivision for the benefit of the public good and in order to facilitate public access to and from said Colonia, with discussion and possible action to direct the Road & Bridge Department as necessary for the accomplishment of the same

- Item No. 13 Status report on the maintenance of the main public roadways at the Ranchitos 359 Subdivision for the benefit of the public good and in order to facilitate public access to an from said Colonia, with discussion and possible action to direct the Road & Bridge Department as necessary for the accomplishment of the same.

Cmr. Sciaraffa motioned to table Item No. 12 and No. 13. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to approve the following line item transfer:

From:	001-0200-5001	Payroll Cost	\$924.00
To:	001-0200-5004	Longevity Pay	\$924.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Leo Flores, County Auditor, stated that the transfer should be to Account No. 001-0200-5002 Incentive Pay.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to reschedule regular meeting of Monday March 28, 2005 to be held on Tuesday March 29, 2005 at 1:00 p.m.

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18 Discussion and possible action to authorize a line item transfer from the Golf Course Budget:

From:	001-6001-6402	Repairs & Maintenance of Equipment	\$10,000
To:	001-6001-6201	Utilities	\$10,000

Mr. Carlos Villarreal, Executive Administrator, stated that this item was needed in order to pay for pending utilities. He stated that he placed this item on the agenda since he was unable to handle this item administratively through the Treasurer's Department.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Leo Flores, County Auditor, stated that this would be used to cover two meters only as per the agreement signed in December.

Motion carried 5-0 by unanimous consent.

Item No. 19 Discussion and possible action to set a special Commissioner's Court meeting for April 18, 2005, for the evaluation of all department heads, including their possible replacement, promotion, termination, and/or directing the Webb County Purchasing Agent to solicit requests for qualifications where deemed appropriate. [Sponsored by Commissioners Frank Sciaraffa and Commissioner Jerry Garza]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20 Discussion and possible action to authorize the County Auditor to continue funding the Border Colonias Access Program projects with the Court knowing that funds may not be reimbursed by the State and that the funds already reimbursed by the State may have to be paid back to the State if the agreement is terminated.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that the extension for Bruni and Mirando City was already given and that a verbal extension was given for El Cenizo and Rio Bravo. Cmr. Gutierrez stated that she was concerned about TX Dot causing these delays in these very important projects.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to enter into a one (1) year subscriber agreement with Autophone of Laredo to provide Nextel Communication Services for five (5) Nextel phones. The cost of the five (5) Nextel radios is FOUR DOLLARS AND NINETY-FIVE CENTS (\$4.95) with a total monthly communication air-time service fee for the radios of ONE HUNDRED AND NINETY-SEVEN DOLLARS AND THIRTY-FIVE CENTS (\$197.35) for a total cost of TWO THOUSAND THREE HUNDRED AND SIXTY-EIGHT DOLLARS AND TWENTY CENTS (\$2,368.20) over the term of the agreement, and authorizing the county judge to execute all relevant documents. [Requested by Utilities Department, Account No. 801-3001-6402 (Equipment)]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to authorize the County Judge to sign a Lien holder's Subordination to Right - of - Ways and Utility Easements for tax judgment liens pertaining to properties located in the Pueblo Nuevo Subdivision and Ranchitos 359 East Subdivision Ranchos Peñitas West Subdivision, Laredo Ranchettes, Inc. Subdivision, San Carlos Subdivision, Phase I, San Carlos Subdivision Phase II and Ranchitos Los Centenarios Subdivision and any matters incident thereto.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Discussion and possible action regarding the validity and termination of a contract agreement with iDocket.com for the release of County Clerk court records.

Mrs. Margie Ramirez Ibarra, County Clerk, was present to address this item. She stated that the prior court had approved a contract with iDocket.com on August 13, 2001 but that she had been unable to obtain a copy of an executed agreement. She stated that she would like the opportunity to address this item and re-negotiate an agreement with iDocket.com if they so wished. She stated that as per the draft copy of the agreement submitted by iDocket.com, the Webb County Clerk's office was to receive 20% of subscribers fees but that she has been unable to locate any verification that any payments have been made. She stated that as per the County Treasurer's Department, there is no proof of any payments made by iDocket.com or whether these monies have been deposited in another account. She stated that she has requested an itemized listing from iDocket.com of any and all payments made to Webb County as well as a listing of all subscribers. Mr. Nathan Bratton, Assistant County Attorney, stated that the item placed on the agenda set up the necessary parameters and that it would be up to the court what they wanted to do. Mrs. Ibarra stated that she would like for the agreement, if valid, be terminated as per the guidelines shown in the draft agreement and that bids be requested to see if other companies would like to provide this service. Cmr. Gutierrez stated that it would be prudent to terminate the agreement due to a lack of an executed agreement as well as the lack of proof of payment. Mr. Armando Balderrama, iDocket.com, stated that they have come before the court several times. He stated that payments are submitted to the county on a quarterly basis and the last check in the amount of approximately \$650 was submitted last week. He stated that Mr. Homero Ramirez, County Attorney, was aware of this situation and the matter was assigned to Jacinto Juarez. He requested that the court allow an evaluation of the contract in order to be able to continue services. Mrs. Ibarra stated that she doesn't mind working with iDocket.com but would like a contract that they can both agree on and understand.

Cmr. Sciaraffa motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to approve the acceptance of the Rio Bravo Community Park as recommended by the project architect, Mr. Jose Calzada, Architectura S A, and authorize that all final bills and retainage be approved.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Juan Vargas, Economic Development Director, stated that this project was an expansion of the existing community center and the enclosure of the porch.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and Possible Action Authorizing to Amend the Budget for the Texas Water Development Board El Cenizo and Rio Bravo Water and Sewer Improvements:

From:	646-8005-6791-3	Wastewater Contingency	\$115,600.00
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To:	646-8005-6023-6	Engineering Design Services	\$115,600.00
From:	648-8006-6791-3	Water Contingency	\$109,836.00
To:	648-8006-6022-7	Engineering Design Services	\$109,836.00

Comr. Sciaraffa motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action Authorizing the application for additional funding in the amount of \$2,797,694.94 from the Texas Water Development Board Economically Distressed Action Program for the extension of a 12 inch water line from Rio Bravo to El Cenizo (\$1,007,405.60) and the replacement of water lines in Rio Bravo (\$1,790,289.34).

Comr. Sciaraffa motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and Possible Action Authorizing Change Order No. 1 to FMG Construction, Inc. decreasing the contract price of \$897,692.00 by \$476.64 for a total of \$897,215.36, and the addition of 92 days to the contract time for the Justice of the Peace Precinct No. 2 Place 1 & 2 building.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and Possible Action Authorizing Change Order No. 4 to Ramos Industries, Inc. decreasing the Contract price of \$1,383,723.00 by \$850.00 to a total of \$1,382,873.00 and adding 60 days to the completion time for the TWDB-EDAP Waste Water Collection System project on the north side of El Cenizo.

Mr. Tomas Rodriguez, County Engineer, requested that this item be tabled.

Comr. Gutierrez motioned to table Item No. 28. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to advertise for bids for the TXDOT Border

Colonias Access Program Rio Bravo Paving and Storm Drainage Phase II Project.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that the total cost for this project would approximately \$1.5 million. He stated that Phase I should be completed by July 31st. He stated that Phase II would encompass the resurfacing of those streets cut up in order to place the sewer lines.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and Possible Action Authorizing the Engineering Department to fill Vacant Position, Slot # 2244, Civil Engineer I, at a salary of \$60,000.00 per year for a Civil Engineer Registered in the State of Texas as a Professional Engineer or \$50,000.00 for a Civil Engineer, Engineer in Training.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that this slot was authorized by the Court in October to assist with the Border Access Colonia Program. He stated that he has been unable to fill the slot due to the initial pay of \$40,000. He stated that the beginning salary for these positions is usually \$48 – 52,000.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and Possible Action Authorizing a Cellular phone for Arnulfo Gonzalez, Project Coordinator ROW Acquisition Division of the Engineering Department for 500 minutes.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Budget Amendment for Fiscal Year 2004-2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to authorize the Purchasing Agent to solicit bids for long distance services for Webb County.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 34 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) 2005 F150 from Philpott Motors through Houston Galveston Area Council in the amount of \$13,649.25 for the County Judge Office.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 35 Discussion and possible action to authorize the Purchasing Agent to purchase the two (2) complete computer systems with printers from Southern Computer Warehouse in the amount of \$2,550.04 for the Justice of the Peace, Pct. 4, Oscar O. Martinez.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 37 Discussion and possible action to authorize the Purchasing Agent to retain the services of Clean-Co Systems in the amount of \$7,298.00 and MO-VAC in the amount of \$5,491.00 for the cleaning of the Webb County Waste water Regional Treatment Plant, Detention Center and Rio Bravo Lift Stations.
- Mr. Eloy Ramirez, Purchasing Agent, requested that this item be tabled.
- Cmr. Gutierrez motioned to table Item No. 37. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 38 Discussion and possible action to authorize the Purchasing Agent to issue a purchase order contract in the amount of \$19,046 to Odessa Pumps to install four (4) pumps for the Rio Bravo Lift Stations.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to authorize the Purchasing Agent to obtain cellular services for Eliud Diaz-Cortez, Production Administrator with 500 minutes with Verizon.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to authorize the Purchasing Agent to dispose of surplus property belonging to Webb County pursuant to subchapter D Disposition of Salvage or Surplus Property, Texas Government Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action to authorize the Purchasing Agent to solicit bids for contractors for four (4) dwellings for the Neighborhood Initiative Program in El Cenizo, Economic Development, Juan Vargas.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action to authorize the Purchasing Agent to add the Phillips Caliche Pit to the Bid No.:2005-03 Annual Contract for Flexible Base:

Vendor	Amount
Phillips Caliche	\$1.40 per cubic yard
(Picked up by Road & Bridge)	

Mr. Eloy Ramirez, Purchasing Agent, stated that the reason for this item is to have access to more caliche pits. Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that he prefers to have caliche pits near where they are working in order to prevent having to travel to pick up caliche.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action concerning licensing agreement between Webb County and Laredo International Fair & Exposition, and concerning purported lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Judge Bruni motioned to table Item No. 48. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move in Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:01 PM - 5:29 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 49 Discussion and possible action regarding Texas Commission on Environmental Quality Proposed Order in Enforcement Action in docket No. 2003-0051-MWD-E; Enforcement Case No. 2627 and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, recommended that the court reject the settlement offer and allow the County Attorney's office to handle the case as per the discussions in Executive Session.

Cmr. Gutierrez motioned to reject the settlement offer and allow the County Attorney's office to handle the case as per the discussions in Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Adjournment

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.